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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): T. Kohda et al.
Docket No.: JP920000095US1
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Group: 2155
Examiner: Alicia Baturay

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature:

Shirley L. Vulpis

Date: August 15, 2006

Title: Methods for Guiding User to Network Site
or Content (As Amended)

APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

Applicant (hereinafter referred to as "Appellant") hereby appeals the final rejection of claims 1-22 of the above-referenced application.

REAL PARTY IN INTEREST

The present application is assigned to International Business Machines Corp., as evidenced by an assignment recorded May 15, 2001 in the U.S. Patent and Trademark Office at Reel 11830, Frame 0001. The assignee, International Business Machines Corp., is the real party in interest.

RELATED APPEALS AND INTERFERENCES

There are no known related appeals and interferences.

STATUS OF CLAIMS

Claims 1-22 are pending in the present application. Claims 16, 17 and 20 stand rejected under 35 U.S.C. §101 and claims 1-22 stand rejected under 35 U.S.C. §103(a) are appealed.

STATUS OF AMENDMENTS

There have been no amendments filed subsequent to the final rejection.

SUMMARY OF CLAIMED SUBJECT MATTER

The present invention relates to a method for guiding a user to a desired network site or to its content (Specification, page 1, lines 5-6).

Independent claim 1 provides a user guidance method performed on a computer. An object is incorporated into a specific web site at a specific location. The object is capable of being selected by a user in order to provide a reward for the user. The object is moved from the specific location to a different location. At least one user desiring to select the object is guided to predetermined content available at the specific web site.

By way of example, an illustrative embodiment of the invention of claim 1 is shown in FIG. 2 of the drawings. FIG. 2 shows a contract site group 210 formed of web sites managed by site servers 120 that have agreed to enter into a contract for the use of a moving object 220. During operation, moving object 220 appears at a web site in the contract site group 210. The user employs a radar 230 mounted at the user terminal 130 to search for the moving object 220. When a specific user finds the moving object 220, a special reward is awarded that user. A moving object 220 is moved to another web site in the contract site group 210 (Specification, page 13, line 22 through page 14, line 9).

Further, as recited in dependent claim 2, the object is incorporated into the specific web site at the different location after the object has been selected by the user. By way of example, an illustrative embodiment of the invention of claim 2 is shown in FIG. 2, in which each time a moving object 220 is located, it is moved to another web site in the contract site group 210 (Specification, page 13, line 22 through page 14, line 9).

Independent claim 7 provides a computer-based content advertisement method. An object is incorporated into a network among content multiple users desire to browse. The object is capable of being selected by a user in order to provide a reward for the user. The object is moved in the network among additional content multiple users desire to browse when a predetermined user browses the content. A user desiring to select the object is guided to and enabled to browse the content and additional content.

By way of example, an illustrative embodiment of the invention of claim 7 is shown in FIG. 2 of the drawings. FIG. 2 shows a contract site group 210 formed of web sites managed by site servers 120 that have agreed to enter into a contract for the use of a moving object 220. During operation, moving object 220 appears at a web site in the contract site group 210. The user employs a radar 230 mounted at the user terminal 130 to search for the moving object 220. When a specific user finds the moving object 220, a special reward is awarded that user. A moving object 220 is moved to another web site in the contract site group 210 (Specification, page 13, line 22 through page 14, line 9).

Independent claim 9 provides a computer-based guidance system that comprises a server. The server comprises an object manager for managing the location and movement of an object on a network. The server further comprises a position information generator for generating information concerning the location of the object, and for providing the information to user who is accessing the network. The server also comprises a processor for performing a predetermined process associated with the object selection when the object is selected by a predetermined user. The object manager arranges the object at a desired location in order to guide the user to desired content on the network.

By way of example, an illustrative embodiment of the invention of claim 9 is shown in FIG. 3 of the drawings. FIG. 3 shows a configuration of a user guidance system. A moving object manager manages information, such as the location and the search status of the moving object 220. A radar information generator 20 generates relevant information concerning the moving object 220, that it submits to the user. A zero distance performer 30 displays the moving object 220 on the web page, and performs an appropriate process when user finds it (Specification, page 14, line 19 through page 15, line 11).

Independent claim 12 provides a computer-based object control system that comprises web servers for storing web pages and a main server for communicating with a predetermined web server. The main server incorporates a specific object into a first specific web page and removes the specific object from a second specific web page stored in the specific web server.

By way of example, an illustrative embodiment of the invention of claim 12 is shown in FIGS. 1 and 3 of the drawings. FIG. 1 shows a network configuration for which a user guidance system is employed. The moving object manager 10 is provided for the main server 110, and the radar display unit 40, the current URL manager 50 and page display unit 60 are provided for the user terminal 130. The zero distance performer 30 can be provided for either the main server 110, the site server 120 or the user terminal 130 (Specification, page 15, lines 12-26).

Further, as recited in dependent claim 15, the information concerning the location of the object that is appearing, which is provided for the user who accesses the specific web server, indicates the ease with which the object can be reached from the web page browsed by the user.

Independent claim 16 provides an object control system of a computer that comprises an object to be embedded in a web page stored at a web site on a network. The object control system also comprises object management means for managing the location of the object on the network in order to move the object across the network.

By way of example, an illustrative embodiment of the invention of claim 16 is shown in FIG. 3 of the drawings. FIG. 3 shows a configuration of a user guidance system. A moving object manager manages information, such as the location and the search status of the moving object 220. A radar information generator 20 generates relevant information concerning the moving object 220, that it submits to the user. A zero distance performer 30 displays the moving object 220 on the web page, and performs an appropriate process when user finds it (Specification, page 14, line 19 through page 15, line 11).

Independent claim 18 provides a computer-based object control system that comprises an object stored in a predetermined server, and a link setting means for setting a link in a web page stored at a web site on the network in order to move the object. The computer-based object control system also comprises object position management means for determining a web page for setting a

link thereto. Under the control of the object position management means the link setting means changes a target web page for setting a link thereto.

By way of example, an illustrative embodiment of the invention of claim 18 is shown in FIG. 3 as described above and in FIG. 6 of the drawings. FIG. 6 shows the processing performed by the current URL manager (Specification, page 20, lines 14-23).

Independent claim 20 provides a moving object to be embedded in a web page stored at a web site on a network, whose location on the network is managed by specific management means, and which moves from a predetermined web page to another web page. The object is capable of being selected by a user in order to provide a reward for the user.

By way of example, an illustrative embodiment of the invention of claim 20 is shown in FIG. 2 of the drawings. FIG. 2 shows a contract site group 210 formed of web sites managed by site servers 120 that have agreed to enter into a contract for the use of a moving object 220. During operation, moving object 220 appears at a web site in the contract site group 210. The user employs a radar 230 mounted at the user terminal 130 to search for the moving object 220. When a specific user finds the moving object 220, a special reward is awarded that user. A moving object 220 is moved to another web site in the contract site group 210 (Specification, page 13, line 22 through page 14, line 9).

Independent claim 21 provides a storage medium on which input means of a computer stores a program in an input-enabled form. The program causes the computer to perform a process for incorporating a specific object into a specific web page stored in a specific web server. The program also causes the computer to perform a process for moving the object to another web page when a user browses the specific web page and selects the specific object.

Independent claim 22 provides a program transmission apparatus comprising a storage means for storing a program. The program causes the computer to perform a process for incorporating a specific object into a specific web page stored in a specific web server. The program also causes the computer to perform a process for moving the object to another web page when a user browses the specific web page and selects the specific object. The program transmission apparatus also comprises transmission means for reading the program from the storage means and for transmitting the program.

By way of example, an illustrative embodiment of the invention of claims 21 and 22 is shown in FIG. 2 of the drawings. FIG. 2 shows a contract site group 210 formed of web sites managed by site servers 120 that have agreed to enter into a contract for the use of a moving object 220. During operation, moving object 220 appears at a web site in the contract site group 210. The user employs a radar 230 mounted at the user terminal 130 to search for the moving object 220. When a specific user finds the moving object 220, a special reward is awarded that user. Each time a moving object 220 is located, it is moved to another web site in the contract site group 210 (Specification, page 13, line 22 through page 14, line 9)

Means for guiding a user to a specific site group can be provided, regardless of whether or not the user has an interest in the contents of the site. A moving object for traveling among the members of a specific site group can be provided in order to guide a user to web pages in the site group. (Specification, page 65, line 22, through page 66, line 4).

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

I. Claims 16, 17 and 20 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter.

II. Claims 1-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,102,406 (hereinafter "Miles") in view of WO 00/41067 (hereinafter "Kay").

ARGUMENT

Appellants incorporate by reference herein the disclosures of all previous responses filed in the present application, namely, responses dated January 5, 2005, June 14, 2005, December 19, 2005, and May 15, 2006. Sections I and II to follow will respectively address grounds I and II presented above.

I. Rejection of claims 16, 17 and 20 under §101

Regarding the rejection of claims 16, 17 and 20 under 35 U.S.C. §101, Appellants have previously amended independent claims 16 and 20 in accordance with the Examiner's suggestions to more clearly recite statutory subject matter, and more specifically, to recite that the limitations are

performed on a computer. However, the Examiner has maintained the non-statutory subject matter rejection due to “software per se.” Appellants assert that the Examiner has failed to adequately explain how one would arrive at a conclusion of “software per se” for these claims, and further why software would be considered non-statutory subject matter.

Independent claim 16 recites an object control system of a computer system comprising an object and an object management means, indicating that any steps performed by these elements are performed by a computer. Independent claim 20 recites an object that is functional to be stored at a web site on a network, to move from a predetermined web page to another web page and to be selected by a user, clearly indicating functionality of the object. Thus, Appellants believe that claims 16, 17 and 20 contain statutory subject matter under §101 and therefore request withdrawal of the rejections under §101.

II. Rejection of claims 1-22 under §103(a)

Regarding the rejection of claims 1-22 under 35 U.S.C. §103(a) as being unpatentable over Miles in view of Kay, Appellants respectfully assert that the cited combination fails to establish a prima facie case of obviousness under 35 U.S.C. §103(a), as specified in M.P.E.P. §2143.

As set forth therein, M.P.E.P. §2143 states that three requirements must be met to establish a prima facie case of obviousness. First, there must be some suggestion or motivation to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the cited combination must teach or suggest all the claim limitations. While it is sufficient to show that a prima facie case of obviousness has not been established by showing that one of the requirements has not been met, Appellants respectfully believe that none of the requirements have been met.

First, Appellants assert that no motivation or suggestion exists to combine Miles and Kay in a manner proposed by the Examiner, or to modify their teachings to meet the claim limitations. For at least this reason, a prima facie case of obviousness has not been established.

The Federal Circuit has stated that when patentability turns on the question of obviousness, the obviousness determination “must be based on objective evidence of record” and that “this precedent has been reinforced in myriad decisions, and cannot be dispensed with.” *In re Lee*, 277 F.3d 1338, 1343 (Fed. Cir. 2002). Moreover, the Federal Circuit has stated that “conclusory

statements” by an examiner fail to adequately address the factual question of motivation, which is material to patentability and cannot be resolved “on subjective belief and unknown authority.” Id at 1343-1344.

In the final Office Action, on page 5, paragraph 1, the Examiner provides the following statement to prove motivation to combine Miles and Kay, with emphasis supplied:

“It would have been obvious . . . to modify Miles in view of Kay in order to enable movement of the object. One would be motivated to do so in order to advertise a product or service to a potential customer through a web browser.”

Appellants submit that the statement above is based on the type of “subjective belief and unknown authority” that the Federal Circuit has indicated provides insufficient support for an obviousness rejection. More specifically, the Examiner fails to identify any objective evidence of record which supports the proposed combination.

It is well-settled law that “teachings of references can be combined *only* if there is some suggestion or incentive to do so.” *ACS Hosp. Sys. v. Montefiore Hosp.*, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984) (emphasis in original). Moreover, in order to avoid the improper use of a hindsight-based obviousness analysis, particular findings must be made as to why one skilled in the relevant art, having no knowledge of the claimed invention, would have selected the components disclosed by Miles and Kay in the manner claimed (*See, e.g., In re Kotzab*, 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000)). The Examiner’s conclusory statements do not adequately address the issue of motivation to combine references. “It is improper, in determining whether a person of ordinary skill would have been led to this combination of references, simply to ‘[use] that which the inventor taught against its teacher.’” *In re Sang-Su Lee*, 277 F.3d 1338, 1344 (Fed. Cir. 2002) (quoting *W.L. Gore v. Garlock, Inc.*, 721 F.2d 1540, 1553, 220 USPQ 303, 312-13 (Fed. Cir. 1983)).

In response to arguments previously set forth by Appellants, the Examiner again contends that Kay states that one would be motivated to advertise a product or service to a potential customer through a web browser. However, in the final Office Action, Kay is used by the Examiner to modify Miles for the purpose of object movement. There is no evidence in Kay of object movement nor is

there evidence that any such object movement advertises a product or service to a potential customer. Further, there is no evidence in Miles that such movement would be useful in the scavenger hunt advertising scheme.

Secondly, Appellants assert that there is no reasonable expectation of success in achieving the present invention through a combination of Miles and Kay. For at least this reason, a prima facie case of obviousness has not been established. Appellants do not believe that Miles and Kay are combinable since it is not clear how one would combine them. No guidance was provided in the Office Action as to how the references can be combined to achieve the present invention. However, even if combined, for the sake of argument, they would not achieve the techniques of the claimed invention.

In response to previous arguments set forth by Appellants, the Examiner generally contends that both references are directed to a method of driving customers to view advertisers' websites. However, Appellants again assert that it is not clear how one would combine the object selection of Kay with the scavenger hunt of Miles in order to teach object movement.

Lastly, the collective teaching of Miles and Kay fails to suggest or render obvious at least the elements of independent claims 1, 7, 9, 12, 16, 18 and 20-22 of the present invention. For at least this reason, a prima facie case of obviousness has not been established.

Claims 1-8

The present invention, for example, as recited in independent claim 1 recites a user guidance method performed on a computer. An object is incorporated into a specific web site at a specific location. The object is capable of being selected by a user in order to provide a reward for the user. The object is moved from the specific location to a different location, and at least one user desiring to select the object is guided to predetermined content available at the specific web site. Independent claim 7 recites similar limitations.

Miles discloses an Internet-based advertising scheme employing a scavenger hunt metaphor. During the scavenger hunt the user may click on a hyperlink of a web page to return to the scavenger hunt game site in order to answer a specific question regarding the content of the web page. If the

user meets specific requirements and answers the question correctly, the user may select a new clue directed to another web page having a hyperlink.

As admitted by the Examiner, Miles fails to disclose the moving of the object as recited in independent claims 1 and 7. Miles contains no description or suggestion that the hyperlink moves. To the contrary, Miles describes embodiments in which many users play the scavenger hunt game at the same time, during which the hyperlinks must remain on the individual web pages so that each player is able to play. Therefore, Miles requires multiple fixed hyperlinks, without the movement recited in claims 1 and 7 of the present invention.

The Examiner refers to Kay in order to remedy the deficiencies described above. Kay discloses a method and device for stimulating a potential customer to purchase goods or services from a web site through the formation of a link on a web page. The link may be implanted or overlaid on a web page at a single location, or at a plurality of locations. However, the description of one or more links on a single web page fails to provide any description or suggestion that the hyperlink moves. Therefore, Kay fails to remedy the deficiencies described above with regard to Miles, and the combination of Miles and Kay also fails to disclose the moving of the object as recited in independent claims 1 and 7.

In response to previous arguments set forth by Appellants, the Examiner contends that Kay teaches that an object appears on a website that can be selected and takes the user from the specific location to a different location. However, Appellants again assert that user navigation from one web page to another through selection of an object fails to provide requisite disclosure for the rejection of a limitation reciting actual object movement.

Dependent claims 2-6 and 8 are patentable at least by virtue of their dependency from independent claims 1 and 7. Dependent claims 2-6 and 8 also recite patentable subject matter in their own right. For example, with regard to claim 2, the combination of Miles and Kay fails to disclose the incorporation of the object into the specific web site at a different location after the object has been selected by the user.

Claims 9-11

Independent claim 9 recites a computer-based user guidance system having a server comprising an object manager for managing the location and movement of an object on a network. The server also comprises a position information generator for generating information concerning the location of the object, and for providing the information to a user who is accessing the network. Finally, the server comprises a processor for performing a predetermined process associated with the object selection, when the object is selected by a predetermined user. The object manager arranges the object at a desired location in order to guide the user to desired contents on the network. The combination of Miles and Kay fails to disclose an object manager that manages the location and movement of an object on a network and arranges the object at a desired location to guide the user to the desired content on the network, as described above with regard to claim 1.

Dependent claims 10 and 11 are patentable at least by virtue of their dependency from independent claim 9. Dependent claims 10 and 11 also recite patentable subject matter in their own right.

Claims 12-15

Independent claim 12 recites a computer-based object control system comprising web servers for storing web pages. The object control system also comprises a main server for communicating with a predetermined web server. The main server incorporates a specific object into a first specific web page and removes the specific object from a second specific web page stored in the specific web server. The combination of Miles and Kay fails to disclose a main server that incorporates the object into a first web page and removes the object from a second web page.

Dependent claims 13-15 are patentable at least by virtue of their dependency from independent claim 12. Dependent claims 13-15 also recite patentable subject matter in their own right. For example, the combination of Miles and Kay fails to disclose that the information concerning the location of the object, which is provided for the user, indicates the ease with which the object can be reached from the web page browsed by the user, as recited in dependent claim 15.

Claims 16 and 17

Independent claim 16 recites an object control system of a computer comprising an object to be embedded in a web page stored at a web site on a network. The object control system also comprises an object management means for managing the location of the object on the network. The object management means changes the location of the object on the network in order to move the object across the network. Again, the combination of Miles and Kay fails to disclose the changing of the location of the object on the network in order to move the object across the network, as described above with regard to claim 1.

Dependent claim 17 is patentable at least by virtue of its dependency from independent claim 16. Dependent claim 17 also recites patentable subject matter in its own right.

Claims 18 and 19

Independent claim 18 recites a computer-based object control system comprising an object stored in a predetermined server. The object control system also comprises a link setting means for setting a link in a web page stored at a web site on the network in order to move to the object. Finally, the object control system comprises an object position management means for determining a web page for setting a link thereto. Under the control of the object position management means the link setting means changes a target web page for setting a link thereto. The combination of Miles and Kay fails to disclose a link setting means for setting a link in a web page to move the object.

Dependent claim 19 is patentable at least by virtue of its dependency from independent claim 18. Dependent claim 19 also recites patentable subject matter in its own right.

Claim 20

Independent claim 20 recites a moving object to be embedded in a web page stored at a web site on a network, which moves from a predetermined web page to another web page and is capable of being selected by a user in order to provide a reward for the user. The location on the network is managed by specific management means. The combination of Miles and Kay fails to disclose an object, capable of being selected by the user in order to provide a reward for the user, which moves from a predetermined web page to another web page, as described above with regard to claim 1.

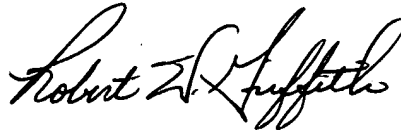
Claims 21 and 22

Independent claim 21 recites a storage medium on which input means of a computer stores a program in an input-enabled form. The program causes the computer to perform a process for incorporating a specific object into a specific web page stored in a specific web server. The program also causes the computer to perform a process for moving the object to another web page when a user browses the specific web page and selects the specific object. Independent claim 22 recites similar limitations to those of claim 21. The combination of Miles and Kay fails to disclose a process for moving the object to another web page when a user browses the specific web page, as described above with regard to claim 1.

Accordingly, withdrawal of the rejection of claims 1-22 under 35 U.S.C. §103(a) is therefore respectfully requested.

In view of the above, Appellants believe that claims 1-22 are in condition for allowance, and respectfully request withdrawal of the §101 and §103(a) rejections.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert W. Griffith", written in a cursive style.

Date: August 15, 2006

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CLAIMS APPENDIX

1. A user guidance method performed on a computer comprising the steps of:
incorporating an object into a specific web site at a specific location, wherein the object is capable of being selected by a user in order to provide a reward for the user; and
moving the object from the specific location to a different location,
whereby at least one user desiring to select the object is guided to predetermined content available at the specific web site.
2. The user guidance method according to claim 1, wherein the step of moving the object comprises the step of:
incorporating the object into the specific web site at the different location, after the object has been selected by a user.
3. The user guidance method according to claim 1, further comprising the step of:
providing information, after incorporating the object, concerning the location of the object for the at least one user desiring to select the object.
4. The user guidance method according to claim 1, wherein, at the step of moving the object, the object is moved along a predetermined route, and the at least one user desiring to select the object is guided to predetermined content in accordance with a specific order based on the route.
5. The user guidance method according to claim 1, wherein, at the step of incorporating the object, the object is incorporated at specific locations at multiple connected web sites across a network; and wherein at the step of moving the object, the object is moved across the network.
6. The user guidance method according to claim 5, wherein, at the step of moving the object, the object is moved along a predetermined route across the multiple web sites on the network, and

the at least one user desiring to select the object is guided to predetermined content available in a specific sequential order based on the route.

7. A computer-based content advertisement method comprising the steps of:
incorporating an object into a network among content multiple users desire to browse, wherein the object is capable of being selected by a user in order to provide a reward for the user; and
moving the object in the network among additional content multiple users desire to browse, when a predetermined user browses the content;
whereby a user desiring to select the object, is guided to and enabled to browse the content and additional content.

8. The content advertisement method according to claim 7, wherein, at the step of moving the object, movement of the object is effected along a route that includes the content multiple users desire to browse.

9. A computer-based user guidance system comprising:
a server comprising:
an object manager for managing the location and movement of an object on a network;
a position information generator for generating information concerning the location of the object, and for providing the information to a user who is accessing the network; and
a processor for, when the object is selected by a predetermined user, performing a predetermined process associated with the object selection,
wherein the object manager arranges the object at a desired location in order to guide the user to desired content on the network.

10. The user guidance system according to claim 9, wherein, when the object is selected, the processor transmits a notification to that effect to the object manager, and upon the receipt of the

notification, the object manager deletes the object selected by the user, and positions another object at a different location on the network.

11. A user guidance system according to claim 9, wherein, when the object is selected by a specific user, the processor transmits, together with information concerning the specific user, a notification to that effect to the object manager; wherein, upon the receipt of the notification, the object manager manages the information concerning the specific user, who is regarded as the person who has selected the object; wherein, if the object is selected by multiple users, only the specific user is regarded as the person who has selected the object.

12. A computer-based object control system comprising:
web servers, for storing web pages; and
a main server, for communicating with a predetermined web server,
wherein the main server incorporates a specific object into a first specific web page and removes the specific object from a second specific web page stored in the specific web server.

13. The object control system according to claim 12, wherein the object is selected when the object is present in a web page that a user is currently browsing; and wherein, when the object is selected by the user, the main server deletes the object from the web page and incorporates the object into another web page.

14. The object control system according to claim 12, wherein the main server provides, for the user who accesses the specific web server, information concerning the location of the object that is appearing.

15. The object control system according to claim 14, wherein the information concerning the location of the object, which is provided for the user, indicates the ease with which the object can be reached from the web page browsed by the user.

16. An object control system of a computer comprising:
an object to be embedded in a web page stored at a web site on a network; and
object management means for managing the location of the object on the network,
wherein the object management means changes the location of the object on the network in
order to move the object across the network.

17. The object control system according to claim 16, wherein the object management means
correlates the location of the object with a web page browsed by a predetermined user, and changes
the location of the object when web pages are browsed by the predetermined user.

18. A computer-based object control system comprising:
an object stored in a predetermined server;
link setting means, for setting a link in a web page stored at a web site on the network in
order to move to the object; and
object position management means, for determining a web page for setting a link thereto,
wherein, under the control of the object position management means the link setting means
changes a target web page for setting a link thereto.

19. The object control system according to claim 18, wherein the object position
management means defines a web page browsed by a predetermined user as the target web page to
which the link with the object is to be set, and changes the target web page as the predetermined user
browses the web pages; and wherein the link setting means, under the control of the object position
management means, changes the link with the object.

20. A moving object, to be embedded in a web page stored at a web site on a network, whose
location on the network is managed by specific management means, and which moves from a
predetermined web page to another web page, wherein the object is capable of being selected by a
user in order to provide a reward for the user.

21. A storage medium on which input means of a computer stores a program in an input-enabled form, the program causing the computer to perform:

a process for incorporating a specific object into a specific web page stored in a specific web server;

a process for, when a user browses the specific web page and selects the specific object, moving the object to another web page.

22. A program transmission apparatus comprising:

storage means for storing a program that causes a computer to perform:

a process for incorporating a specific object into a specific web page stored in a specific web server,

a process for, when a user browses the specific web page and selects the specific object, moving the object to another web page; and

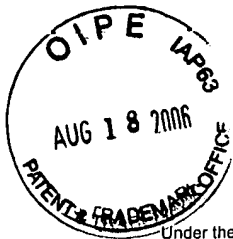
transmission means for reading the program from the storage means and for transmitting the program.

EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.



AT 77a

PTO/SB/31 (04-05)
Approved for use through 07/31/2006. OMB 0651-0031
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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

JP920000095US1

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on June 13, 2006

Signature

Typed or printed name V. Pipitone

In re Application of
T. Kohda et al.

Application Number
09/855,281

Filed
May 15, 2001

For Methods for Guiding User to Network Site or Content
(As Amended)

Art Unit
2155

Examiner
Alicia Baturay

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ _____

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0510. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record.
Registration number 48,956

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____

Signature

Robert W. Griffith
Typed or printed name

516-759-4547
Telephone number

June 13, 2006
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

08/21/2006 EFLORES 00000059 500510 09855281

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): T. Kohda et al.
Docket No.: JP920000095US1
Serial No.: 09/855,281
Filing Date: May 15, 2001
Group: 2155
Examiner: Alicia Baturay

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature:

Date: August 15, 2006

Title: Methods for Guiding User to Network Site
or Content (As Amended)

TRANSMITTAL OF APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are the following documents relating to the above-identified patent application:

- (1) Appeal Brief; and
- (2) Copy of Notice of Appeal, filed on June 13, 2006, with copy of stamped return postcard indicating receipt of Notice by PTO on June 15, 2006.

Please charge **International Business Machines Corporation Deposit Account No. 50-0510** the amount of \$500 to cover this submission under 37 CFR §41.20(b)(2). In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 50-0510** as required to correct the error. A duplicate copy of this letter is enclosed.

Respectfully submitted,

Robert W. Griffith
Reg. No. 48,956
Attorney for Applicant(s)
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(516) 759-4547

Date: August 15, 2006

Receipt in the USPTO is hereby acknowledged of:

Notice of Appeal - (Orig. & 1 copy)

June 13, 2006
JP920000095US1
Serial No. 09/855,281
1500-552

